

(b) For sailfish, the waters of the North and South Atlantic Oceans (including the Gulf of Mexico and the Caribbean Sea) west of 30°W. longitude; and

(c) For longbill spearfish, the waters of the entire North and South Atlantic Oceans (including the Gulf of Mexico and the Caribbean Sea).

*Pelagic longline* means a type of fishing gear consisting of a length of line suspended horizontally in the water above the bottom from lines attached to surface floats and to which gangions (leaders) and hooks are attached.

*Regional Director* means the Director, Southeast Region, NMFS, 9721 Executive Center Drive N., St. Petersburg, FL 33702; telephone 813-570-5301, or a designee.

*Related species* means black marlin, *Makaira indica*; striped marlin, *Tetrapturus audax*; or shortbill spearfish, *Tetrapturus angustirostris*.

*Rod and reel* means a hand-held (includes rod holder) fishing rod with a manually or electrically operated reel attached.

*Science and Research Director* means the Science and Research Director, Southeast Fisheries Center, NMFS, 75 Virginia Beach Drive, Miami, FL 33149, telephone 305-361-5761, or a designee.

*Total length (TL)* means the straight-line measurement from the tip of the upper jaw to the plane of the more extended tip of the caudal fin when in its natural position, as shown in figure 1.

[53 FR 37769, Sept. 28, 1988, as amended at 56 FR 13417, Apr. 2, 1991; 60 FR 35341, July 7, 1995]

#### § 644.3 Relation to other laws.

(a) The relation of this part to other laws is set forth in § 620.3 of this chapter and paragraph (b) of this section.

(b) Regulations governing fishing in the EEZ by vessels other than vessels of the United States appear at 50 CFR part 611, subpart A, and §§ 611.60 and 611.61.

#### § 644.4 Permits and fees. [Reserved]

#### § 644.5 Recordkeeping and reporting.

A person conducting a billfish tournament from a port in an Atlantic, Gulf of Mexico, or Caribbean State, and who is selected by the Science and Re-

search Director, must maintain and submit a fishing record on forms available from the Science and Research Director for each day of fishing in the tournament. Forms must be submitted so as to be received by the Science and Research Director within 10 days of the conclusion of the tournament and must be accompanied by a copy of the tournament rules.

(a) The following information must be included on each form:

- (1) Tournament name;
- (2) Recorder's name and telephone number;
- (3) Date for which the information is recorded;
- (4) Hours fished (time from first line in the water to last line out of the water);
- (5) Name of each vessel fishing that day;
- (6) For each vessel listed, the species of each billfish boated or released;
- (7) The weight and length of each billfish brought ashore;
- (8) The name, address, and signature of the tournament director; and
- (9) The date signed.

(b) In addition to the information required to be reported by paragraph (a) of this section, the following information is desired, but is not mandatory:

- (1) Prevailing weather conditions on the day reported, such as wind speed and direction, and sea height and direction; and
- (2) Whether a tag was attached before the billfish was released.

(Approved by the Office of Management and Budget under control number 0648-0031)

#### § 644.6 Vessel identification. [Reserved]

#### § 644.7 Prohibitions.

In addition to the general prohibitions specified in § 620.7 of this chapter, it is unlawful for any person to do any of the following:

- (a) Falsify or fail to report information required to be submitted, as specified in § 644.5.
- (b) Possess a billfish less than the minimum size limit specified in § 644.21(a).
- (c) Fail to release a billfish in the manner specified in § 644.21(b) or § 644.23.

## § 644.8

(d) Possess a billfish with its head, fins, or bill removed shoreward of the outer boundary of the EEZ or through landing, as specified in §644.21(c).

(e) Possess or retain a billfish by a vessel with a pelagic longline or drift net aboard or harvested by gear other than rod and reel, as specified in §644.22.

(f) Purchase, barter, trade, sell, or offer for sale a billfish harvested from its management unit, as specified in §644.24(a).

(g) Falsify information submitted in accordance with §644.24(b).

(h) As a dealer or seafood processor, possess a billfish or related species without the documentation specified in §644.24(b), or with incomplete or falsified documentation.

(i) Interfere with, obstruct, delay, or prevent by any means an investigation, search, seizure, or disposition of seized property in connection with enforcement of the Magnuson Act.

(Information collection requirements in paragraph (g) were approved by the Office of Management and Budget under control number 0648-0216)

[53 FR 37769, Sept. 28, 1988, as amended at 54 FR 14239, Apr. 10, 1989; 56 FR 13417, Apr. 2, 1991]

## §644.8 Facilitation of enforcement.

See §620.8 of this chapter.

## §644.9 Penalties.

See §620.9 of this chapter.

## Subpart B—Management Measures

## §644.20 Fishing year.

The fishing year is January 1 through December 31.

## §644.21 Size limits.

(a) The following minimum size limits, expressed in terms of lower jaw-fork length (LJFL), apply for the possession of billfish shoreward of the outer boundary of the EEZ, regardless of where caught:

(1) Blue marlin—86 in.

(2) White marlin—62 in.

(3) Sailfish—57 in.

(4) Longbill spearfish—no minimum size.

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(b) A billfish under the minimum size limit caught shoreward of the outer boundary of the EEZ must be released by cutting the line near the hook without removing the fish from the water.

(c) A billfish possessed aboard a fishing vessel shoreward of the outer boundary of the EEZ must have its head, fins, and bill intact, and a billfish landed from a fishing vessel in an Atlantic, Gulf of Mexico, or Caribbean coastal state must have its head, fins, and bill intact through landing. Such billfish may be eviscerated but must otherwise be maintained in a whole condition.

(d) The following approximations of the minimum size limits for blue marlin, white marlin, and sailfish, expressed in terms of EFL, LJFL, TL, and whole, live weight, are provided for the convenience of fishermen. These approximations may not be substituted for the minimum size limits expressed in terms of LJFL specified in paragraph (a) of this section.

	Eye-fork length (in.)	Lower jaw-fork length (in.)	Total length (in.)	Whole, live wt. (lbs.)
Blue marlin .....	75	86	110	200
White marlin .....	53	62	81	50
Sailfish .....	49	57	76	30

[53 FR 37769, Sept. 28, 1988, as amended at 56 FR 13417, Apr. 2, 1991]

## §644.22 Gear limitations.

(a) The possession or retention shoreward of the outer boundary of the EEZ of a billfish harvested by gear other than rod and reel is prohibited.

(b) The possession or retention shoreward of the outer boundary of the EEZ of a billfish by a vessel with a pelagic longline or drift net aboard is prohibited.

## §644.23 Incidental catch restrictions.

A billfish harvested by gear other than rod and reel shoreward of the outer boundary of the EEZ must be released in a manner that will ensure maximum probability of survival. A billfish caught by a pelagic longline shoreward of the outer boundary of the EEZ must be released by cutting the line near the hook without removing the fish from the water.